

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ALTON WAGGONER, LAFAYETTE “TERI”	§	
HEISHMAN, HANNAH LEOVITS,	§	
KAWANA SCOTT,	§	
Plaintiffs,	§	
	§	
v.	§	CASE NO. 3:22-cv-02776-E
	§	
THE CITY OF DALLAS, TEXAS,	§	
EDGARDO GARCIA, in his Official Capacity,	§	
And DAVID PUGHES, in his Official Capacity,	§	
Defendants.	§	

**THE CITY DEFENDANTS’ UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO RESPOND TO PLAINTIFFS’ COMPLAINT**

Defendants the City of Dallas and in their official capacities, Dallas Chief of Police Edgardo Garcia, and Dallas City Marshall David Pughes, (together “the City Defendants”) hereby file this their unopposed motion for extension of time to respond to Plaintiffs’ Original Complaint for Declaratory and Injunctive Relief (ECF No. 1). Plaintiffs are unopposed to this request for relief. The City Defendants seek this extension in good faith and not for delay. In support of this request, the City Defendants would show:

1. On December 14, 2022, Plaintiffs Alton Waggoner, Lafayette “Teri” Heishman, Hannah Lebovits, and Kawana Scott (together “Plaintiffs”) filed suit against the City Defendants.
2. On December 15, 2022, Plaintiffs submitted to the City Defendants a request to waive service, to which the City Defendants agreed, making their deadline to respond to Plaintiff’s Original Complaint on February 13, 2023.
3. Plaintiffs have informed the City Defendants of their intent to file an Application for Preliminary Injunction.
4. Because the Court’s ruling on Plaintiffs’ application for preliminary injunction may

affect the trajectory of this case, the City Defendants seek to file their response to Plaintiffs' Original Complaint within 45 days following the Court's ruling.

5. The requested extension will not affect other deadlines in this case.
6. Plaintiffs are unopposed to the City Defendants' request for relief.
7. A district court may, for good cause, extend the time by when an act must be done if the request is made before the original time or the extension expires. *See* Fed. R. Civ. P. 6(b)(1)(A). The City's request for extension is supported by good cause.

### **PRAYER**

The City respectfully asks this Court to grant this motion and extend the City's deadline to respond to Plaintiffs' Original Complaint for Declaratory and Injunctive Relief no later than 45 days after the Court enters its ruling on Plaintiffs' application for preliminary injunction.

Respectfully submitted,

CHRISTOPHER J. CASO  
CITY ATTORNEY

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**ATTORNEYS FOR THE CITY DEFENDANTS**

**CERTIFICATE OF CONFERENCE**

I certify that on January 3 and January 5, 2023, I conferred with Plaintiffs' counsel, Travis Fife, by zoom and by email concerning the filing of this motion and the relief sought. Plaintiffs are unopposed to the relief sought in this motion.

/s/ Ana Marie Jordan

Ann "Ana" Marie Jordan

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was submitted to the Clerk of Court for electronic filing using the CM/ECF System on January 5, 2023. The Clerk of Court will transmit a Notice of Electronic Filing to all parties registered under the CM/ECF System to receive service electronically.

/s/ Ana Marie Jordan

Ann "Ana" Marie Jordan